

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
DANIEL BARTHOLE, individually and on  
behalf of all others similarly situated,

Plaintiff,

-against-

FORTE CAPITAL GROUP INC. and  
NATIONAL SECURITIES CORPORATION,

Defendants.

ANALISA TORRES, United States District Judge:

On December 21, 2020, the parties jointly moved for the approval of their settlement agreement. *See* Letter, ECF No. 36. On April 19, 2021, the Court declined to approve the settlement agreement because of the high proportion of the proceeds allocated to attorneys' fees, and directed the parties to file a revised settlement agreement with a smaller percentage allotted to attorneys' fees. ECF No. 40. On April 27, 2020, the parties submitted a revised settlement agreement. ECF No. 41-1. The Court has reviewed this revised settlement agreement, which is identical to the original, except that it reduces the attorneys' fees awarded to one-third of the total recovery amount. *Id.* § 1.iii. This is within the permissible range of recovery for attorneys' fees. *Run Guo Zhang v. Lin Kumo Japanese Rest. Inc.*, No. 13 Civ. 6667, 2015 WL 5122530, at \*4 (S.D.N.Y. Aug. 31, 2015). Accordingly, the Court finds the revised settlement fair and reasonable, and the revised settlement is APPROVED.

The Clerk of Court is directed to terminate this action with prejudice.

SO ORDERED.

Dated: April 28, 2021  
New York, New York

USDC SDNY  
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20 Civ. 536 (AT)

**ORDER**



ANALISA TORRES  
United States District Judge